

REMARKS

Applicants and the undersigned thank Examiner Basom for his careful review of this application. Consideration of the present application is respectfully requested in light of the above amendments to the claims and in view of the following remarks. In the Official Action, the Examiner rejected Claims 1-4, 7, 14, 18, and 19 and objected to Claims 5, 6, 8-13, and 15-17. Applicants have added Claims 20-50 and have made minor amendments to Claims 3, 4, 13, 16, and 18. Claims 20-50 further define aspects of the present invention and are fully supported by the specification. Upon entry of this amendment, Claims 1-50 remain pending in this application.

Claim Rejections Under 35 U.S.C. § 112

The Examiner rejected claims 3 and 4-19 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention. This rejection is respectfully traversed.

The Examiner noted that the recitation of “associated graphical indicator IDs” in Claims 3 and 18 and “The computer-implemented method” in Claim 4 lack proper antecedent basis. Accordingly, Applicants have amended these claims to provide proper antecedent basis.

The amendments described under this section have been made solely for the purpose of clarifying the claimed language and not to overcome the prior art of record. Reconsideration and withdrawal of this rejection are respectfully requested.

Claim Rejections Under 35 U.S.C. § 102

The Examiner rejected Claims 1-4, 7, 14, 18, and 19 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,323,885 B1 issued in the name of Wiese (hereinafter the “Wiese reference”). Applicants respectfully offer remarks to traverse these pending rejections.

Independent Claim 1

The rejection of Claim 1 is respectfully traversed. It is respectfully submitted that the Wiese reference fails to describe, teach, or suggest the recitations enumerated in independent Claim 1. Specifically, the Wiese reference fails to describe, teach, or suggest a system

comprising a user interface for generating condition structures in response to receiving graphical indicator conditions.

The Wiese reference describes a system and method for creating and displaying a real estate map image that uses symbols to identify sales prices in a particular geographic area. Specifically, the Wiese reference describes using the color of a symbol to indicate a range of sales prices and the shape of a symbol to indicate a sub-range of sales prices within the range. The Examiner argues that because Wiese purportedly discloses that colors of symbols can be “selected,” it can be “interpreted that some sort of user interface is required for selecting the various colors of symbols....” Applicants respectfully submit that the Examiner’s argument in support of his rejection of Claim 1 is improper under 35 U.S.C. § 102.

First, the Examiner’s rejection is technically improper because the Wiese reference does not expressly or inherently describe, teach, or suggest a user interface for generating condition structures as recited in Claim 1. The Wiese reference merely describes that colors and shapes can be assigned to ranges and subranges of values. (See Col. 3, lines 14-18). Not only is the Wiese reference silent on how such an assignment of colors and shapes is accomplished, it is apparent to one of ordinary skill in the art that a user interface is not necessary or required to make such an assignment. In fact, a software developer could write code that would assign a shape and a color to a particular range and subrange of values, wherein the assignment is not modifiable by a user of the program. Accordingly, the Examiner’s assertion that Wiese teaches or suggests the use of a user interface to select the colors and symbols is inaccurate.

Accordingly, one of ordinary skill in the art recognizes that the Wiese reference fails to anticipate the recitations as set forth in Claim 1. Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

Independent Claim 4

The rejection of Claim 4 is respectfully traversed. It is respectfully submitted that the Wiese reference fails to describe, teach, or suggest the recitations enumerated in independent Claim 4. Specifically, the Wiese reference fails to describe, teach, or suggest a method comprising the step of converting the graphical indicator conditions into condition structures that define a relationship between data.

As discussed above in connection with Claim 1, the Wiese reference describes a system and method for creating and displaying a real estate map image that uses symbols to identify sales prices in a particular geographic area. The Examiner argues that the Wiese reference teaches converting the graphical indicator conditions into condition structures that define a relationship between the data and cites to column 3, lines 59-65 of the Wiese reference in support of his position.

However, the cited portion of the Wiese reference merely describes, teaches, or suggests a CPU associating each symbol with a sub-range of values, each color with a range, and each shape within each color with a sub-range; reading a value database; and associating the symbols with each street address in the value database. The Wiese reference does not describe, teach, or suggest, explicitly or inherently, converting graphical indicator conditions into condition structures. Accordingly, Applicants respectfully submit that the Examiner's rejection to Claim 4 is improper. See MPEP 706.02 (“[F]or anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present.”)

Accordingly, one of ordinary skill in the art recognizes that the Wiese reference cannot anticipate the recitations as set forth in Claim 4. Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

Dependent Claims 2-3 and 5-19

Applicants respectfully submit that the above-identified dependent claims are allowable because the independent claims from which they depend are patentable over the cited reference. Applicants also respectfully submit that the recitations of these dependent claims are of patentable significance.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the pending rejections and objections to dependent Claims 2-3 and 5-19.

New Claims 20-25

Applicants have added new independent Claim 20 and new dependent Claims 21-25 to the present application. New independent Claim 20 recites the subject matter defined by rejected Claim 1 and objected Claim 8, while new dependent claims 21-25 address additional aspects of the invention described by the application and originally defined in dependent claims 2-3 and 14-16.

In view of the foregoing, Applicants respectfully submit that the pending claim set, as amended, is patentably distinguishable from the prior art and respectfully requests that the Examiner allow Claims 20-25.

New Claims 26-37

Applicants have added new independent Claim 26 and new dependent Claims 27-37 to the present application. New independent Claim 26 recites the subject matter defined by rejected Claims 4 and 14 and objected Claim 8, while new dependent claims 27-37 address additional aspects of the invention described by the application and originally defined in dependent claims 5, 7-8, 10-13 and 16-19.

In view of the foregoing, Applicants respectfully submit that the pending claim set is patentably distinguishable from the prior art and respectfully requests that the Examiner allow Claims 26-37.

New Claims 38-50

Applicants have added new independent Claim 38 and new dependent Claims 39-50 to the present application. New independent Claim 38 recites the subject matter defined by rejected Claim 4 and objected Claim 8, while new dependent claims 39-50 address additional aspects of the invention described by the application and originally defined in dependent claims 5-7 and 9-19.

In view of the foregoing, Applicants respectfully submit that the pending claim set is patentably distinguishable from the prior art and respectfully requests that the Examiner allow Claims 38-50.

CONCLUSION

The foregoing is submitted as a full and complete response to the Office Action mailed on April 23, 2003. Applicants and the undersigned thank Examiner Basom for his consideration of these remarks. Applicants have amended the claims and have submitted remarks to traverse the rejections or objections to pending Claims 1-19. Applicants have also added Claims 20-50. Applicants respectfully submit that the present application is in condition for allowance. Such action is hereby courteously solicited.

If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any formalities that can be corrected by an Examiner's amendment, please contact the undersigned in the Atlanta metropolitan area at 404.572.2783.

Respectfully submitted,



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